

FORM PTO-1390		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTORNEY'S DOCKET NUMBER 11299.105009 MMI1020
TRANSMITTAL LETTER TO THE UNITED STATES			U.S. APPLICATION NO. (if known see 37 CFR 1.5) <b>10/530584</b>
DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371			
INTERNATIONAL APPLICATION NO. PCT/US2003/029852	INTERNATIONAL FILING DATE 22 September 2003 (22.09.2003)	PRIORITY DATE CLAIMED 10 October 2002 (10.10.2002)	
TITLE OF INVENTION NUCLEIC ACIDS ENCODING DURAMYCIN			
APPLICANT(S) FOR DO/EO/US Luis MOLINA and Charles J. ROMEO			
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:			
<ol style="list-style-type: none"> <li>1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.</li> <li>2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.</li> <li>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below..</li> <li>4. <input checked="" type="checkbox"/> The US has been elected by the expiration of 19 months from the priority date (Article 31).</li> <li>5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)). <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto.</li> <li>b. <input type="checkbox"/> has been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto.</li> <li>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ol> </li> <li>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)). <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input checked="" type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li>8. <input type="checkbox"/> A English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</li> <li>10. <input type="checkbox"/> A English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li> </ol>			
Items 11 to 20 below concern document(s) or information included:			
<ol style="list-style-type: none"> <li>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li> <li>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li>13. <input type="checkbox"/> A preliminary amendment.</li> <li>14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</li> <li>15. <input type="checkbox"/> A substitute specification.</li> <li>16. <input checked="" type="checkbox"/> A power of attorney and/or change of address letter.</li> <li>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821-1.825.</li> <li>18. <input checked="" type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).</li> <li>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</li> <li>20. <input checked="" type="checkbox"/> Other items of information: Check for \$900, International Search Report (copy), Certificate of Mailing and Postcard.</li> </ol>			

U.S. APPLICATION NO. (if known, see 37 CFR 1.53) <b>107530584</b>		INTERNATIONAL APPLICATION NO. PCT/US2003/029852		ATTORNEYS DOCKET NUMBER 11299.105009 MMI1020																																														
21. <input checked="" type="checkbox"/> The following fees are submitted: <input checked="" type="checkbox"/> a) Basic national fee.....\$300.00 <input checked="" type="checkbox"/> b) Examination fee.....\$200.00 <input checked="" type="checkbox"/> c) Search fee.....\$400.00				<b>CALCULATIONS PTO USE ONLY</b>  <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:60%;"><b>TOTAL OF ABOVE CALCULATIONS =</b></td> <td style="width:20%; text-align: right;">\$ 900.00</td> <td style="width:20%;"></td> </tr> <tr> <td>Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).</td> <td style="text-align: right;">\$ 0.00</td> <td></td> </tr> <tr> <td><b>CLAIMS</b></td> <td><b>NUMBER FILED</b></td> <td><b>NUMBER EXTRA</b></td> </tr> <tr> <td>Total claims</td> <td>14 - 20 =</td> <td>0</td> </tr> <tr> <td>Independent claims</td> <td>1 - 3 =</td> <td>0</td> </tr> <tr> <td colspan="2">MULTIPLE DEPENDENT CLAIM(S) (if applicable)</td> <td>+ \$360.00</td> </tr> <tr> <td colspan="2"><b>TOTAL OF ABOVE CALCULATIONS =</b></td> <td>\$ 900.00</td> </tr> <tr> <td colspan="2"><input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.</td> <td>\$ 900.00</td> </tr> <tr> <td colspan="2" style="text-align: right;"><b>SUBTOTAL =</b></td> <td>\$ 900.00</td> </tr> <tr> <td colspan="2">Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).</td> <td style="text-align: right;">\$ 0.00</td> </tr> <tr> <td colspan="2" style="text-align: right;"><b>TOTAL NATIONAL FEE =</b></td> <td>\$ 900.00</td> </tr> <tr> <td colspan="2">Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet 937 CFR 3.28, 3.31). \$40.00 per property</td> <td style="text-align: right;">\$ 0.00</td> </tr> <tr> <td colspan="2" style="text-align: right;"><b>TOTAL FEES ENCLOSED =</b></td> <td>\$ 900.00</td> </tr> <tr> <td colspan="2"></td> <td>Amount to be: refunded \$</td> </tr> <tr> <td colspan="2"></td> <td>charged \$</td> </tr> </table>		<b>TOTAL OF ABOVE CALCULATIONS =</b>	\$ 900.00		Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).	\$ 0.00		<b>CLAIMS</b>	<b>NUMBER FILED</b>	<b>NUMBER EXTRA</b>	Total claims	14 - 20 =	0	Independent claims	1 - 3 =	0	MULTIPLE DEPENDENT CLAIM(S) (if applicable)		+ \$360.00	<b>TOTAL OF ABOVE CALCULATIONS =</b>		\$ 900.00	<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.		\$ 900.00	<b>SUBTOTAL =</b>		\$ 900.00	Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).		\$ 0.00	<b>TOTAL NATIONAL FEE =</b>		\$ 900.00	Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet 937 CFR 3.28, 3.31). \$40.00 per property		\$ 0.00	<b>TOTAL FEES ENCLOSED =</b>		\$ 900.00			Amount to be: refunded \$			charged \$
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a. <input checked="" type="checkbox"/> A check in the amount of \$ <u>900.00</u> to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>11-0980</u> . A duplicate copy of this sheet is enclosed. d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. <b>Credit card information should not be included on this form.</b> Provide credit card information and authorization on PTO-2038.																																																		
<b>NOTE:</b> Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.																																																		
SEND ALL CORRESPONDENCE TO:  Sherry M. Knowles, Esq. King & Spalding LLP 191 Peachtree Street, 45 <sup>th</sup> Floor Atlanta, Georgia 30303-1763 (404) 572-4600																																																		
<div style="display: flex; align-items: center;"> <div>             SIGNATURE              Madeline I. Johnston, Ph.D., Esq.              NAME              DATE: 07 April 2005 (07.04.2005)              REGISTRATION NUMBER: 36,174           </div> </div>																																																		
Express Mail Label No. EV 371445615 US																																																		

10/530584

JCCO Rec'd PCTO 07 APR 2005

**TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED  
OFFICE CONCERNING A FILING UNDER 35 USC 371**

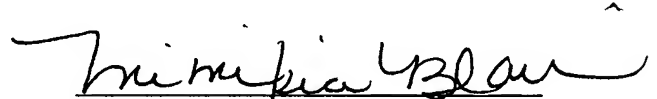
Certificate of Mailing Under 37 CFR 1.10

I hereby certify that this Transmittal Letter to the United States Designated/Elected Office Concerning a Filing Under 35 USC 371, along with any paper referred to as being attached or enclosed, is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated below and is addressed to:

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

on April 7, 2005

Docket No.: 11299.105009 MMI1020



Name: Minikia D. Blair